IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl.Misc.No.34707-M of 2006

DATE OF DECISION: DECEMBER 8, 2006

Vivek Singal @ Vivek Aggarwal

...PETITIONER

VERSUS

State of Punjab and another

...RESPONDENTS

CORAM: HON'BLE MR.JUSTICE SATISH KUMAR MITTAL

Present: Mr. Sanjiv Pandey, Advocate,
along with the petitioner.
Mr.N.S.Gill, AAG, Punjab.
Mr.Gurcharan Singh, Advocate,
along with the complainant.

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Petitioner Vivek Singal @ Vivek Aggarwal apprehending his arrest in a non-bailable offence in case FIR No.46 dated 13.3.2006 registered under Sections 406/498-A/506/313 IPC at Police Station Mandi Gobindgarh, District Fatehgarh Sahib, has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail.

Counsel for the petitioner contends that during the pendency of the criminal litigation, the petitioner is ready to pay an amount of Rs.4000/- per month regularly to the complainant-wife for the maintenance of herself and her child. To show his bona fide, the petitioner has paid Rs.20,000/- in Court to the complainant. The petitioner undertakes that by 7th of every calender month, he will regularly send the amount of Rs.4000/- by demand draft in the name of the complainant. The petitioner also states that whatsoever dowry articles are in his possession, he will return the same to the complainant-wife within one month. Counsel for the petitioner further contends that in terms of the interim order dated June 6, 2006, the petitioner has joined the investigation.

In view of the aforesaid facts and the undertaking given by the petitioner, the interim order dated June 6, 2006 is made absolute.

It is made clear that in case the petitioner makes any default in the aforesaid payment, it will be open for the complainant to get the anticipatory bail cancelled from this Court.

Disposed of accordingly.

December 8, 2006 (SATISH KUMAR MITTAL)
vkg JUDGE